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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/897,604	07/03/2001	Hachiro Honda	Q65208	9621

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EXAMINER

FLEURANTIN, JEAN B

ART UNIT	PAPER NUMBER
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2172

DATE MAILED: 12/17/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/897,604

Applicant(s)

HONDA, HACHIRO

Examiner

Jean B Fleurantin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 September 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Response to Amendment***

1. Claims 1-15 remain pending for examination.

***Response to Applicant's Remarks***

2. Applicant's arguments filed on September 22, 2003, with respect to claims 1-4 have been fully considered but they are not persuasive because of the following:

Examiner discusses the limitations of newly added claims 5-15 in the following rejection.

A. In respect to applicant's argument on page 10, that "Kobayashi does not teach the elements of the present invention." It is respectfully submitted that Kobayashi discloses the claimed limitations as follow: Kobayashi teaches a contents retrieval system comprising: "setting up processing conditions for retrieval processing in accordance with the retrieval request, and further issuing a reservation number of the retrieval processing and informing the user of the reservation number, and in addition applying the reservation number to the processing conditions and registering the same with a predetermined retrieval management table" as the login name of a user who requested an access is input to the system, the user DB access right file UAF is retrieved on the basis of the input login name, the input login name is converted into the login name of the employee information file DB, (see col. 10, lines 16-24). Further, in column 5, lines 9-15, Kobayashi teaches "File" defines the database name "personnel" and the file name "employee information", "Field" also defines the item name "employee No." of the employee information file (DB), this allows to retrieve the item "employee No." of the employee

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information file (DB) using the item "user No." of the login management information file LMF as a retrieval key, as shown in figure 4; and

“retrieval result providing means for retrieving a retrieval result associated with the reservation number from among the retrieval results stored in said retrieval result storage file, when an inquiry concerning the retrieval result is made from a user based on the reservation number, and providing the retrieval result for the user” as ‘Login=item name’ represents the item name ‘user No.’ of the login management information file and ‘File’ defines the database name ‘personnel’ and the file name ‘employee information’, ‘Field’ also defines the item name ‘employee No.’ of the employee information file (DB), this allows to retrieve the item ‘employee No.’ of the employee information file (DB) using the item ‘user No.’ of the login management information file LMF as a retrieval key, as shown in figure 4, the login management information file LMF defines ‘login ID’, ‘user No.’, ‘password’, ‘home directory’ and the like for each user a login ID and a password are input in file access note that the home directory is personal information, (see col. 5, lines 6-19). Further, in column 10, lines 16-21. Kobayashi teaches the input login name is converted into the login name of the employee information file. Kobayashi does not explicitly indicate retrieval request receiving means for receiving a retrieval request of contents on a communication network from a user accessing through the communication network, and contents retrieval means for retrieving the contents on the communication network in accordance with the processing conditions registered with said retrieval management table and storing the retrieval result, together with the reservation number, in a predetermined retrieval result storage file. However, Jacobs implicitly indicates authorization checking by means of a logon facility and administration of user ID’s and

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passwords, UPM always requires a user ID and usually also requires a password for access to the system, authorization through UPM is necessary before the local system or remote systems may be utilized, UPM is local to each workstation and contains unique information specific to that system, (see col. 4, lines 41-51). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the combined teachings of Kobayashi and Jacobs with receiving a retrieval request of contents on a communication network from a user accessing through the communication network, and contents retrieval means for retrieving the contents on the communication network in accordance with the processing conditions registered with said retrieval management table and storing the retrieval result, together with the reservation number. Such modification would allow the teachings of Kobayashi and Jacobs to improve the accuracy of the database operation processor, and to provide access information can be passed between the personal computers on the network, (see col. 1, lines 23-24).

In response to applicant's arguments on pages 11-13, against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

The claim does not capture the essence of the invention as argued in the Applicant(s)' remark page 12. Actually the Applicant(s)' is/are interpreting the claim narrow using the specification without considering the broad teachings of reference in the rejection.

Interpretation of Claims-Broadest Reasonable Interpretation, see MPEP 2111. During patent examination, the pending claims must be 'given the broadest reasonable interpretation consistent with the specification.' Applicant always has the opportunity to amend the claims

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during prosecution and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. In re Prater, 162 USPQ 541,550-51 (CCPA 1969).

Therefore, the rejection in last Office Action is maintained.

***Claim Rejections - 35 USC § 103***

B. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,275,825 issued to Kobayashi et al. ("hereinafter Kobayashi") in view of U.S. Patent No. 5,694,595 issued to Jacobs et al. ("hereinafter Jacobs").

As per claims 1 and 4, Kobayashi teaches a contents retrieval system comprising: "setting up processing conditions for retrieval processing in accordance with the retrieval request, and further issuing a reservation number of the retrieval processing and informing the user of the reservation number, and in addition applying the reservation number to the processing conditions and registering the same with a predetermined retrieval management table" as the login name of a user who requested an access is input to the system, the user DB access right file UAF is retrieved on the basis of the input login name, the input login name is converted into the login

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name of the employee information file DB, (see col. 10, lines 16-24). Further, in column 5, lines 9-15, Kobayashi teaches "File" defines the database name "personnel" and the file name "employee information", "Field" also defines the item name "employee No." of the employee information file (DB), this allows to retrieve the item "employee No." of the employee information file (DB) using the item "user No." of the login management information file LMF as a retrieval key, as shown in figure 4; and

“retrieval result providing means for retrieving a retrieval result associated with the reservation number from among the retrieval results stored in said retrieval result storage file, when an inquiry concerning the retrieval result is made from a user based on the reservation number, and providing the retrieval result for the user” as ‘Login=item name’ represents the item name ‘user No.’ of the login management information file and ‘File’ defines the database name ‘personnel’ and the file name ‘employee information’, ‘Field’ also defines the item name ‘employee No.’ of the employee information file (DB), this allows to retrieve the item ‘employee No.’ of the employee information file (DB) using the item ‘user No.’ of the login management information file LMF as a retrieval key, as shown in figure 4, the login management information file LMF defines ‘login ID’, ‘user No.’, ‘password’, ‘home directory’ and the like for each user a login ID and a password are input in file access note that the home directory is personal information, (see col. 5, lines 6-19). Further, in column 10, lines 16-21. Kobayashi teaches the input login name is converted into the login name of the employee information file. Kobayashi does not explicitly indicate retrieval request receiving means for receiving a retrieval request of contents on a communication network from a user accessing through the communication network, and contents retrieval means for retrieving the contents on

the communication network in accordance with the processing conditions registered with said retrieval management table and storing the retrieval result, together with the reservation number, in a predetermined retrieval result storage file. However, Jacobs implicitly indicates authorization checking by means of a logon facility and administration of user ID's and passwords, UPM always requires a user ID and usually also requires a password for access to the system, authorization through UPM is necessary before the local system or remote systems may be utilized, UPM is local to each workstation and contains unique information specific to that system, (see col. 4, lines 41-51). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the combined teachings of Kobayashi and Jacobs with receiving a retrieval request of contents on a communication network from a user accessing through the communication network, and contents retrieval means for retrieving the contents on the communication network in accordance with the processing conditions registered with said retrieval management table and storing the retrieval result, together with the reservation number. Such modification would allow the teachings of Kobayashi and Jacobs to improve the accuracy of the database operation processor, and to provide access information can be passed between the personal computers on the network, (see col. 1, lines 23-24).

As per claim 2, Kobayashi teaches a contents retrieval system as claimed, wherein said retrieval request receiving means sets up as to whether there is a need to display a retrieval result as one of the processing conditions in form of a thumb-nail image, so that the set up result is registered with said retrieval management table (thus, an access right setting table form FM represents table form information to be displayed and output in setting/changing an access right



of the employee information file database in accordance with a user attribute in units of user groups; which is readable as wherein said retrieval request receiving means sets up as to whether there is a need to display a retrieval result as one of the processing conditions in form of a thumb-nail image, so that the set up result is registered with said retrieval management table; see col. 4, lines 26-30), and

said contents retrieval means creates the thumb-nail image and stores the thumb-nail image in a predetermined image storage file in the event that the thumb-nail image is needed in accordance with the set up result as to whether there is a need to display the thumb-nail image registered with said retrieval management table, (see col. 4, lines 26-41).

As per claim 3, Kobayashi teaches the claimed subject matter except the claimed wherein said retrieval request receiving means sets up as to whether there is a need to inform a user by an electronic mail of the fact that a retrieval result is obtained at the time point when the retrieval result as one of the processing conditions is obtained by said contents retrieval means. However, Jacobs teaches the client system can use the server system for variety of functions such as file sharing, in which distributed applications and databases and other services, (see col. 4, lines 20-23). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the combined teachings of Kobayashi and Jacobs with said retrieval request receiving means sets up as to whether there is a need to inform a user by an electronic mail of the fact that a retrieval result is obtained at the time point when the retrieval result as one of the processing conditions is obtained by said contents retrieval means. Such modification would allow the teachings of Kobayashi and Jacobs to improve the accuracy of the database operation

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processor, and to provide a remote administration means for a distributed application, (see col. 1, lines 66-67).

As per claims 5 and 12, the limitations of claims 5 and 12 are rejected in the analysis of claims 1, and these claims are rejected on that basis.

As per claim 6, Kobayashi teaches a system further comprising a service menu, wherein the user is prompted to select between retrieving new information or referring to a past retrieval as the retrieval request, (see col. 10, lines 16-21).

As per claims 7-10, 12, 14 and 15, the limitations of claims 7-10, 12, 14 and 15 are rejected in the analysis of claims 1, and these claims are rejected on that basis.

As per claim 11, Kobayashi teaches a system further comprising a plurality of retrieval result storage files, wherein one of a plurality retrieval result storage files is created for each retrieval request, (see col. 4, lines 16-30).

As per claim 13, the limitations of claim 13 are rejected in the analysis of claims 1, and this claim is rejected on that basis.

***Conclusion***

3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

***Contact Information***

4. Any inquiry concerning this communication from examiner should be directed to Jean Bolte Fleurantin at (703) 308-6718. The examiner can normally be reached on Monday through Friday from 7:30 A.M. to 6:00 P.M.


If any attempt to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Mr. BREENE JOHN E can be reached at (703) 305-9790. The FAX phone numbers for the Group 2100 Customer Service Center are: *After Final* (703) 746-7238, *Official* (703) 746-7239, and *Non-Official* (703) 746-7240. NOTE: Documents transmitted by facsimile will be entered as official documents on the file wrapper unless clearly marked "**DRAFT**".

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group 2100 Customer Service Center receptionist whose telephone numbers are (703) 306-5631, (703) 306-5632, (703) 306-5633.



Jean Bolte Fleurantin

2003-12-08



SHAHID ALAM  
PRIMARY EXAMINER